

Atty. Docket No. 59728.010600

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Richard D. Robinson, Jr., et al.

Group Art Unit: 3644

Serial No.: 10/051,382

Examiner: Francis T. Palo

Filed: January 22, 2002

For: Chemical Agent Delivery Device and Method of Using Same

AMENDMENT AND RESPONSE UNDER 37 C.F.R. § 1.111

Mail Stop Non-Fee Amendment

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

VIA FACSIMILE to 703-872-9326

SIR:

I hereby certify that this correspondence is being transmitted via facsimile transmission to the United States Patent & Trademark Office at 703 872-9326 (11 pages total)

on August 4, 2003

by Samuel Ferrey
SIGNATURE

In response to the Office Action dated March 4, 2003, the period for response having been extended two months, please amend the above-identified application as follows:

IN THE SPECIFICATION:

Please amend paragraph 12 of the specification as follows:

[0012] The present invention in its preferred embodiment provides a pesticide delivery apparatus and system, and methods of using such an apparatus. In accordance with one aspect of the present invention, one or more pesticides, such as an insecticide, germicide, fungicide, or herbicide, is encapsulated inside a flexible vessel, or capsule. Such a capsule will preferably be spherical in shape, and will be made from a biodegradable material, such as gelatin. Capsules can be fired from a pneumatic gun, similar to a conventional paintball gun. In the preferred embodiment, the capsule is ~~fill~~ filled with a gelatinous substance including both an attractant and a pesticide, and is fired directly to a location such as a tree or a canyon wall, thereby creating a bait station. Alternatively, the capsule can be delivered in the proximity or anticipated path of the pest.